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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FOUR

L.L.,

Petitioner,

v.

THE SUPERIOR COURT OF LAKE
COUNTY,

Respondent;

LAKE COUNTY DEPARTMENT OF
HEALTH AND HUMAN SERVICES et
al.,

Real Parties in Interest.

A127677

(Lake County
Super. Ct. Nos. JV320200A,
JV320200B, JV320200C)

The mother, L.L., filed a petition for a writ of mandate pursuant to California Rules of Court, rule 8.452,¹ after the juvenile court terminated reunification services as to her and her three children (L.S., J.S., and J.D.) and scheduled a hearing pursuant to Welfare and Institutions Code section 366.26. Because mother did not sign the notices of intent to file a writ petition and her attorney has made no showing of good cause for failure to sign the notices, we order dismissal of the writ petition.

A party seeking writ review of an order setting a hearing under Welfare and Institutions Code section 366.26 must file a notice of intent to file a writ petition. (Rule 8.450(a), (e)(1).) Rule 8.450(e)(3) provides: “The notice must be signed by the

¹ All rule references are to the California Rules of Court.

party intending to file the petition The reviewing court may waive this requirement for good cause on the basis of a declaration by the attorney of record explaining why the party could not sign the notice.”

Mother was present at the February 5, 2010 juvenile court hearing when the court terminated reunification services, scheduled a permanency planning hearing, and informed mother that she had seven days to file a writ petition. Mother told the juvenile court that she understood that she had seven days to file a petition. Mother’s counsel has submitted a declaration to this court that states that mother said on February 5 she wanted counsel to file a writ petition on her behalf to challenge the termination of her reunification services and the setting of a permanency planning hearing. Counsel’s declaration further states: “I signed the notice of intent instead of [mother] because she has not been available to personally and timely sign the notice of intent. [¶] . . . I have not had contact with [mother] since February 5, 2010. She is not reachable at her telephone number of record. I have made efforts to obtain alternate contact information from [mother’s] family and the social worker without success. [Mother] has indicated in the past that she spends a great deal of time out of the county.”

In *Lisa S. v. Superior Court* (1998) 62 Cal.App.4th 604, 606, the court held that a similar attorney declaration did not constitute a sufficient justification for mother’s failure to comply with the requirement that she sign the notice of intent. “The good cause must relate to the failure of the party to sign the notice of intent. In the present case, numerous discussions with a client and the authority on the part of the attorney to file the petition do not constitute good cause for the failure to comply with the relevant rule of law—the *notice of intent* must be signed by the parent.” (*Id.* at p. 607, original italics.) “ ‘The dependency scheme is designed to aid those parents who seriously want to maintain a healthy parental relationship with their children. It is not too much to ask those parents to make the effort necessary to show genuine interest in their children by conferring with their attorney and making themselves available to sign the necessary documents.’ ” (*Ibid.*) As in *Lisa S.*, good cause is not present in this case in terms of mother’s failure to sign the notices of intent as required by rule 8.450(e)(3).

The petition is dismissed.

Sepulveda, J.

We concur:

Ruvolo, P. J.

Rivera, J.